



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

5 POST OFFICE SQUARE, SUITE 100  
BOSTON, MASSACHUSETTS 02109-3912

### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

**JAN 16 2013**

Shrewsbury School District  
c/o Mr. Robert Cox, Superintendent of Public Buildings  
100 Maple Avenue  
Shrewsbury, Massachusetts 01545

Re: PCB Cleanup and Disposal Approval under 40 CFR §§ 761.61(a) and (c)  
and § 761.79(h)  
Sherwood Middle School  
Shrewsbury, Massachusetts

Dear Mr. Cox:

This is in response to the Town of Shrewsbury (the Town) Notification<sup>1</sup> for approval of the proposed plan to address PCB contamination at the Sherwood Middle School (the Site) located at 30 Sherwood Street, Shrewsbury, Massachusetts. The Site contains caulk and glazing that exceed the allowable PCB levels under 40 CFR § 761.20(a) and § 761.62.

The Town has requested an approval which includes the following:

- Remove PCB caulk, entire window system (including metal frame, glass, decorative stone panel, decorative mosaic panels, concrete sill, and glazing), and 8 inches of porous surface (i.e., brick) adjacent to the PCB caulk, and dispose as a *PCB bulk product waste* in a TSCA-approved disposal facility or RCRA hazardous waste landfill;
- Remove and dispose of *PCB remediation waste* (i.e., univents) in accordance with § 761.61(a)(5)(ii), if PCB concentrations are  $\geq 10 \mu\text{g}/100 \text{ cm}^2$ ; and,
- Conduct verification sampling for *porous surfaces* (i.e., brick) to confirm that the PCB cleanup standard of  $\leq 1 \text{ ppm}$  has been met.

<sup>1</sup> The notification was prepared by Lord Associates, Inc on behalf of the Town of Shrewsbury to satisfy the notification requirement under 40 CFR § 761.61(a)(3) and § 761.79(h). Information was submitted dated July 18, 2012 (Self-Implementing On-Site Cleanup and Disposal Plan (SIDP)), September 25, 2012 (Letter Response to EPA comments); December 6, 2012 (email concerning univent caulk); December 19, 2012 (letter concerning univents disposal); December 24, 2012 (revised letter concerning univents disposal); January 2, 2013 (email with univent total); and January 11, 2013 (email letter clarifying univent sampling plan). These submittals shall be referred to as the "Notification".

The Town has determined that certain caulks, which have PCB concentrations at < 50 ppm, meet the criteria for an *Excluded PCB Product* under § 761.3. Under the PCB regulations, *Excluded PCB Products* are authorized for use and thus there is no requirement for removal of the caulk or for decontamination of surfaces that are in contact with the caulk.

As discussed with EPA, the Town is aware of the October 24, 2012 PCB Bulk Product Waste Reinterpretation. For this project, the Town has made the determination that the *porous surfaces* will be classified as a *PCB bulk product waste*, with disposal in a TSCA-approved disposal facility or RCRA hazardous waste landfill.

With the exception of the proposed verification sampling frequency for decontaminated *porous surfaces*, the Notification meets the requirements and standards established under §§ 761.61(a), 761.62, and 761.79(h) for cleanup and disposal of *PCB remediation waste* and *PCB bulk product waste*.

With respect to the verification sampling frequency, based on the results of the PCB sampling to-date and the proposed cleanup and disposal approach, EPA has determined that the sampling plan and verification sampling frequency are adequate to confirm that the PCB cleanup standard has been met.

This Approval does not address disposal of any univent capacitors containing PCBs. Attachment 1, Condition 16 requires that the Town submit the sample results and a plan for disposal, if required.

The Town may proceed with its project in accordance with 40 CFR §§ 761.61(a) and (c); § 761.79(h); § 761.62; its Notification; and, this Approval, subject to the conditions of Attachment 1.

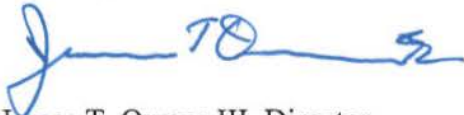
Questions and correspondence regarding this Approval should be directed to:

Kimberly N. Tisa, PCB Coordinator (OSRR07-2)  
United States Environmental Protection Agency  
5 Post Office Square, Suite 100  
Boston, Massachusetts 02109-3912  
Telephone: (617) 918-1527  
Facsimile: (617) 918-0527

This Approval does not release the Town from any applicable requirements of federal, state or local law, including the requirements related to cleanup and disposal of PCBs or other contaminants under the Massachusetts Department of Environmental Protection (MassDEP) regulations.

EPA shall not consider this project complete until it has received all submittals required under this Approval. Please be aware that upon EPA receipt and review of the submittals, EPA may request any additional information necessary to establish that the work has been completed in accordance with 40 CFR Part 761, the Notification, and this Approval.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. T. Owens III", with a stylized flourish at the end.

James T. Owens III, Director  
Office of Site Remediation & Restoration

cc     Ralph Tella, Lord Associates  
         MassDEP, Central Region  
         Shrewsbury Board of Health  
         File

Attachment 1: PCB Approval Conditions



## ATTACHMENT 1

**PCB CLEANUP AND DISPOSAL APPROVAL CONDITIONS  
SHREWSBURY SCHOOL DISTRICT, TOWN OF SHREWSBURY  
SHERWOOD MIDDLE SCHOOL (the "Site")  
30 SHERWOOD STREET  
SHREWSBURY, MASSACHUSETTS**

### GENERAL CONDITIONS

1. This Approval is granted under the authority of Section 6(e) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2605(e), and the PCB regulations at 40 CFR Part 761, and applies solely to the *PCB bulk product waste* and the *PCB remediation waste* located at the Site and identified in the Notification.<sup>(1)</sup>
2. The Town of Shrewsbury (the Town) shall conduct on-site activities in accordance with the conditions of this Approval and with the Notification.
3. In the event that the cleanup plan described in the Notification differs from the conditions specified in this Approval, the conditions of this Approval shall govern.
4. The terms and abbreviations used herein shall have the meanings as defined in 40 CFR § 761.3 unless otherwise defined within this Approval.
5. The Town must comply with all applicable federal, state and local regulations in the storage, handling, and disposal of all PCB wastes, including PCBs, PCB Items and decontamination wastes generated under this Approval. In the event of a new spill during response actions, the Town shall contact EPA within 24 hours for direction on PCB cleanup and sampling requirements.
6. The Town is responsible for the actions of all officers, employees, agents, contractors, subcontractors, and others who are involved in activities conducted under this Approval. If at any time the Town has or receives information indicating that the Town or any other person has failed, or may have failed, to comply with any provision of this Approval, it must report the information to EPA in writing within 24 hours of having or receiving the information.

<sup>1</sup> The notification was prepared by Lord Associates, Inc on behalf of the Town of Shrewsbury to satisfy the notification requirement under 40 CFR § 761.61(a)(3) and § 761.79(h). Information was submitted dated July 18, 2012 (Self-Implementing On-Site Cleanup and Disposal Plan (SIDP)); September 25, 2012 (Letter Response to EPA comments); December 6, 2012 (email concerning univent caulk); December 19, 2012 (letter concerning univents disposal); December 24, 2012 (revised letter concerning univents disposal); January 2, 2013 (email with univent total); and January 11, 2013 (email letter clarifying univent sampling plan). These submittals shall be referred to as the "Notification".

7. This Approval does not constitute a determination by EPA that the transporters or disposal facilities selected by the Town are authorized to conduct the activities set forth in the Notification. The Town is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct these activities in accordance with all applicable federal, state and local statutes and regulations.
8. This Approval does not: 1) waive or compromise EPA's enforcement and regulatory authority; 2) release the Town from compliance with any applicable requirements of federal, state or local law; or 3) release the Town from liability for, or otherwise resolve any violations of federal, state or local law.
9. Failure to comply with the Approval conditions specified herein shall constitute a violation of the requirement in § 761.50(a) to store or dispose of PCB waste in accordance with 40 CFR Part 761 Subpart D.

#### **NOTIFICATION AND CERTIFICATION CONDITIONS**

10. This Approval may be revoked if the EPA does not receive written notification from the Town of its acceptance of the conditions of this Approval within 10 business days of receipt.
11. The Town shall notify EPA in writing of the scheduled date of commencement of on-site activities at least one (1) business day prior to conducting any work under this Approval.
12. The Town shall submit the following information for EPA review and/or approval:
  - a. a certification signed by its selected abatement/demolition contractor, stating that the contractor(s) has read and understands the Notification, and agrees to abide by the conditions specified in this Approval;
  - b. a contractor work plan with appropriate figures, prepared and submitted by the selected demolition or abatement contractor(s) describing the containment and air monitoring that will be employed during abatement activities. This work plan should also include information on how and where wastes will be stored and disposed of, and on how field equipment will be decontaminated; and,
  - c. a certification signed by the selected analytical laboratory, stating that the laboratory has read and understands the extraction and analytical method requirements and quality assurance requirements specified in the Notification and in this Approval.



## **CLEANUP AND DISPOSAL CONDITIONS**

13. To the maximum extent practical, engineering controls, such as barriers, and removal techniques, such as the use of HEPA ventilated tools, shall be utilized during removal processes. In addition, to the maximum extent possible, disposable equipment and materials, including PPE, will be used to reduce the amount of decontamination necessary.
14. PCB-contaminated materials shall be decontaminated and confirmatory sampling and analysis shall be conducted as described below:
  - a. All visible residues of PCB-contaminated caulk and window systems and brick (i.e., *PCB bulk product waste*) shall be removed and disposed of as described in the Notification.
  - b. The cleanup standard for remaining *porous surfaces* (i.e., brick) shall be less than or equal to ( $\leq$ ) 1 part per million (ppm).
    - i) All post-cleanup verification sampling for *porous surfaces* shall be performed on a bulk basis (i.e., mg/kg) and reported on a dry weight analysis. Verification sampling for *porous surfaces* shall be conducted in accordance with the EPA Region 1 *Standard Operating Procedure for Sampling Porous Surfaces for Polychlorinated Biphenyls (PCBs) Revision 4, May 5, 2011*, at a maximum depth interval of 0.5 inches.
    - ii) Verification samples will be collected in accordance with Subpart O along the expansion joints.
    - iii) For the window openings, 4 verification samples will be collected per representative window type on each side of the building. A total of 28 samples would be collected from large windows and 12 samples will be collected from the small windows.
    - iv) Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction/analytical method(s) is validated according to Subpart Q.
15. The cleanup standard for *non-porous surfaces* (i.e., univents) shall be  $\leq 10 \mu\text{g}/100 \text{ cm}^2$ .
  - a. *Non-porous surfaces* shall be cleaned as described in the Notification.
  - b. Post-decontamination verification sampling of *non-porous surfaces* shall be performed on a surface area basis by the standard wipe test as specified in 40 CFR § 761.123 (i.e.,  $\mu\text{g}/100 \text{ cm}^2$ ) and in accordance with Subpart P.

- c. In the event decontaminated *non-porous surfaces* have PCB concentrations at greater than ( $>$ )  $10\text{ }\mu\text{g}/100\text{ cm}^2$  PCBs, the Town may conduct additional decontamination to achieve the required  $\leq 10\text{ }\mu\text{g}/100\text{ cm}^2$  decontamination standard for use.
  - d. In the event decontaminated *non-porous surfaces* have PCB concentrations at  $> 10\text{ }\mu\text{g}/100\text{ cm}^2$  but less than ( $<$ )  $100\text{ }\mu\text{g}/100\text{ cm}^2$  PCBs, the Town may opt to dispose of the univents in a landfill in accordance with § 761.61(a)(5)(i)(B)(2)(ii).
  - e. Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction/analytical method(s) is validated according to Subpart Q.
16. The Town shall submit a copy of the analytical results for the univent capacitors within 5 days of receipt of the results. In the event the PCB concentration is greater than or equal to ( $\geq$ ) 50 ppm, the Town shall submit a plan for disposal of the capacitors for EPA review.
17. PCB waste (at any concentration) generated as a result of the activities described in the Notification, excluding any decontaminated materials, shall be marked in accordance with 40 CFR § 761.40; stored in a manner consistent with 40 CFR § 761.65; and, disposed of in accordance with 40 CFR § 761.61 or § 761.62, unless otherwise specified below.
- a. Decontamination wastes and residues shall be disposed of in accordance with 40 CFR § 761.79(g)(6).
  - b. Moveable equipment, tools, and sampling equipment shall be decontaminated in accordance with either 40 CFR § 761.79(b)(3)(i)(A), § 761.79(b)(3)(ii)(A), or § 761.79(c)(2).
  - c. PCB-contaminated water generated during decontamination shall be decontaminated in accordance with 40 CFR § 761.79(b)(1) or disposed of under § 761.60.

#### **INSPECTION, MODIFICATION AND REVOCATION CONDITIONS**

18. The Town shall allow any authorized representative of the Administrator of the EPA to inspect the Site and to inspect records and take samples as may be necessary to determine compliance with the PCB regulations and this Approval. Any refusal by the Town to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for revocation of this Approval.



19. Any proposed modification(s) in the plan, specifications, or information in the Notification must be submitted to EPA no less than 14 calendar days prior to the proposed implementation of the change. Such proposed modifications will be subject to the procedures of 40 CFR § 761.61(a)(3)(ii).
20. Any departure from the conditions of this Approval without prior, written authorization from the EPA may result in the revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.
21. Any misrepresentation or omission of any material fact in the Notification or in any records or reports may result in the EPA's revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.
22. Approval for these activities may be revoked, modified or otherwise altered: if EPA finds a violation of the conditions of this Approval or of 40 CFR Part 761, including EPA's PCB Spill Cleanup Policy, or other applicable rules and regulations; or, if EPA finds that these activities present an unreasonable risk to public health or the environment.

#### **RECORDKEEPING AND REPORTING CONDITIONS**

23. The Town shall prepare and maintain all records and documents required by 40 CFR Part 761, including but not limited to the records required under Subparts J and K. A written record of the cleanup and disposal and the analytical sampling shall be established and maintained by the Town in one centralized location, until such time as EPA approves in writing a request for an alternative disposition of such records. All records shall be made available for inspection to authorized representatives of EPA.
24. The Town shall submit a final report as both a hard copy and electronic version, to the EPA within 60 days of completion of the activities authorized under this Approval. At a minimum, this final report shall include: a short narrative of the project activities with photo-documentation; characterization and confirmation sampling analytical results; copies of the accompanying analytical chains of custody; field and laboratory quality control/quality assurance checks; an estimate of the quantity of PCB waste disposed of; copies of manifests and bills of lading; and copies of certificates of disposal or similar certifications issued by the disposer.



25. Required submittals shall be mailed to:

Kimberly N. Tisa, PCB Coordinator  
United States Environmental Protection Agency  
5 Post Office Square, Suite 100 - (OSRR07-2)  
Boston, Massachusetts 02109-3912  
Telephone: (617) 918-1527  
Facsimile: (617) 918-0527

26. No record, report or communication required under this Approval shall qualify as a self-audit or voluntary disclosure under EPA audit, self-disclosure or penalty policies.

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**END OF ATTACHMENT 1**